

DT-6796



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Ulrich Schiestl et al.
SERIAL NO.: 10/828,763
FILED: April 20, 2004
FOR: Combustion-Engined Setting Tool
EXAMINER: Michelle Lopez Group: 3721

Mail Stop: **Amendment**
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION

Sir:

This is a response to the Office Action dated April 26, 2005, in which the Examiner rejected claims 1-2, 4, 7 and 9 under the Doctrine of obviousness-type double patenting as being unpatentable over claims 1-5 and 7-8 of U.S. Patent No. 6, 722,548, rejected claims 1-4 and 7-9 as being unpatentable over the prior art, and indicated that claims 5-6 would become allowable upon having been rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

The Examiner's indication of the allowability of claims 5-6 are noted and appreciated. However, applicants believe that rewriting these claims in independent form is not necessary as they depend on a claim earnestly believed to be allowable over the prior art.

Reconsideration of the application in view of the following remarks is respectfully requested.